

# MANDATE

S.D.N.Y. – N.Y.C.  
17-cr-548  
Furman, J.

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3<sup>rd</sup> day of May, two thousand twenty-two.

Present:

Denny Chin,  
Richard J. Sullivan,  
Joseph F. Bianco,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: Jun 16 2022

United States of America,

*Appellee,*

v.

21-2528 (L), 21-2529 (Con)  
21-2530 (Con), 21-2877 (Con)  
21-2878 (Con), 21-2879 (Con)

Joshua Adam Schulte,

*Defendant--Appellant.*

The government moves to dismiss the appeals docketed under 21-2528, 21-2529, 21-2530, 21-2878, and 21-2879. Appellant, proceeding pro se, moves for leave to file a late opposition and to compel the government to resubmit certain filings. Upon due consideration, it is ORDERED that the motion for leave to file a late opposition is GRANTED, but the motion to compel the government to resubmit certain filings is DENIED. It is further ORDERED that the government's motion is GRANTED and that the appeals docketed under 21-2528, 21-2529, 21-2530, 21-2878, and 21-2879 are DISMISSED; the Court finds that it lacks jurisdiction over these appeals because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291. See *Petrello v. White*, 533 F.3d 110, 113 (2d Cir. 2008).

The appeal docketed under 21-2877 will proceed in the ordinary course. Because Appellant has already filed his brief, the government is directed to file a scheduling notification within 14 days of the date of entry of this order pursuant to Second Circuit Local Rule 31.2.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

*Catherine O'Hagan Wolfe*  *Catherine O'Hagan Wolfe* 

MANDATE ISSUED ON 06/16/2022